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February 11, 2025

Via ECF

The Honorable Steven Tiscione
United States Magistrate Judge for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Nolan v. City of New York et al., Case No. 19-cv-00187-RPK-ST

Dear Judge Tiscione:

This office represents Plaintiff William R. Nolan in the above-referenced action brought against Defendants, the City of New York (“the City”), and various individuals, for alleged violations of, *inter alia*, Plaintiff’s First, Second, Fourth, Fifth, Sixth, and Eighth Amendment rights. We write now, with the City’s consent, to respectfully request a four-month adjournment of Court’s current discovery and dispositive motion practice deadlines, which were last set on October 29, 2024 (ECF 107). Additionally, we write to respectfully follow up regarding this Court’s August 9, 2024 minute entry (ECF 105) wherein it stated that the Court would recommend Mr. Rodriguez “be held in contempt and ordered to pay monetary sanctions as well as the attorney fees and costs Plaintiff has expended in attempting to secure compliance with the subpoena,” to request the entry of the Court’s Report and Recommendation concerning the same.

More specifically, the parties request an adjournment of the fact discovery deadline from February 28, 2025 to June 27, 2025, the exchange of expert report deadline from March 26, 2025¹ to July 25, 2025, the expert deposition and discovery completion deadlines from April 26, 2025 to August 26, 2025, and the final date for the first step in dispositive motion practice from May 30, 2025 to September 30, 2025. Additionally, we write to request an adjournment of the settlement


¹ The parties note that some of the dates in the October 29, 2024 Order (ECF 107) inadvertently list the year “2024,” instead of “2025.” The corrected dates are listed herein.

conference currently scheduled for April 25, 2025, *sine die*, pending the completion of fact discovery and depositions, based on the parties' belief that a settlement conference would not be beneficial before that time.

The parties request these adjournments because, although substantial progress has been made, including but not limited to the City's three additional large productions of electronically stored information containing thousands of documents, and the City's privilege log, fact discovery is not yet complete. On February 6, 2025, the undersigned and counsel for the City held a meet and confer to discuss completing the remainder of discovery, which includes a small portion of the City's production of remaining electronically stored information, the City's production of physical records, the City's responses to Plaintiff's interrogatories, as well as a supplemental production from Plaintiff of records that are currently being collected. Thus, there is still substantial critical discovery that must be conducted by both sides prior to proceeding with depositions.

This is the parties' third request for an adjournment these deadlines. The first request (ECF 94) was granted by the Court on June 26, 2024, and the second request (ECF 106) was granted by the Court on October 29, 2024 (ECF 107).

We thank the Court for its attention to this matter.



Andrew C. Weiss, Esq.
For the Firm

To: All counsel of record (*via ECF*)